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7 WAYNE TUCKER, and OFFICER RAMON ALCANTAR

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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 MIGUEL ORTEGA, BENJAMIN ORTEGA, A
13 Minor, By and through his Guardian Ad
Litem, ANA ROSA ORTEGA,

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND, OAKLAND POLICE
17 DEPARTMENT, WAYNE TUCKER, In His
Capacity as the Police Chief of the City of
18 Oakland, RAMON J. ALCANTAR,
Individually and in his capacity as a Police
19 Officer for the City of Oakland, DOES 1
THROUGH 200,

20 Defendants.
21

Case No. C07-02659 JCS

**DEFENDANT CITY OF OAKLAND'S
REQUEST FOR PRODUCTION OF
DOCUMENTS SET NO. ONE**

The Honorable Joseph C. Spero

22
23 **PROPOUNDING PARTY: Defendant CITY OF OAKLAND**

24 **RESPONDING PARTY: Plaintiff, MIGUEL ORTEGA**

25 **SET NUMBER: ONE**

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Pursuant to FRCP 34, Defendant CITY OF OAKLAND requests that **Plaintiff MIGUEL ORTEGA** produce the following documents within 30 days of service of this request at the offices of the City Attorney for the City of Oakland, located at One Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612, for inspection and copying. Alternatively, receipt of color photocopies or duplicates of photographs and copies of the requested documents by mail together with a reasonable statement of charges for photocopying, on or before the above-mentioned date will be considered in full compliance with this request.

1. The word "DOCUMENT" shall include electronically stored information and mean and refer to the original or a copy of all writings as defined in Federal Rules of Civil Procedure section 34, to wit:

"... writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained..." (F.R.C.P. §34(a).)

The word "DOCUMENT," or any variant thereof, shall further include, but not be limited to, all written, typed, printed, recorded, tape-recorded, transcribed, graphic or other reproduced matter or memorialization in any form pertaining to or describing, referring or relating to, directly or indirectly, in whole or in part, the matter that is the subject of a particular demand including, but not limited to, originals and copies of letters, notes, notebooks, minutes, memoranda of telephone calls, CORRESPONDENCE, drafts, messages, telegrams, bank statements, bank and savings passbooks, leaflets, books, files, records, memoranda, conference reports, working papers, routing slips, diaries, calendars, appointment books, logbooks, time sheets, proposals, quotations, memoranda of understanding, checks, cancelled checks, statements of account, broker's records or statements, ledgers, billings, billing registers, receipts, books of account, invoices, tape recordings, computer materials, working papers or memoranda, all notations on the

1 foregoing and all copies thereof, as well as each summary, table, graphic, chart,
2 compilation, report, study, tabulation, tally, diagram, drawing, map, illustration or statistical
3 analysis, by whomever prepared, now or formerly in your actual or constructive
4 possession, custody or control.

5 Where a DOCUMENT has been prepared in several copies, or where
6 additional copies have been made that are not identical or are no longer identical by
7 reason of subsequent notation, highlighting or other modification of any kind whatsoever
8 including, but not limited to, notations on the back pages thereto, each nonidentical copy
9 shall be considered a separate DOCUMENT.

10 2. In each request wherein the phrase "... all documents that support or tend
11 to support. . ." is employed, it shall mean that Plaintiff is requested to produce each and
12 every DOCUMENT that Plaintiff claims or contends constitutes the fact and/or facts in
13 support of the claim, contention or allegation referred to.

14 **REQUEST FOR PRODUCTION NO. 1:**

15 All documents that support or tend to support your answers to the
16 interrogatories served concurrently herewith.

17 DATED: OCTOBER 16, 2007
18

19 JOHN A. RUSSO, City Attorney
20 RANDOLPH W. HALL, Assistant City Attorney
21 JAMES F. HODGKINS, Supervising Trial Attorney
22 CHARLES E. VOSE, Senior Deputy City Attorney

23 By: 

24 Attorneys for Defendants
25 CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT,
26 CHIEF WAYNE TUCKER, and OFFICER RAMON
ALCANTAR

PROOF OF SERVICE

ORTEGA, ET AL., v. CITY OF OAKLAND, ET AL.
United States District Court Case No. C07-02659 JCS

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is City Hall, One Frank Ogawa Plaza, 6th Fl., Oakland, CA 94612. On the date set forth below I served the within documents:

DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF MIGUEL ORTEGA, SET NO. 1

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.

☒ **by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Oakland, California addressed as set forth.**

by causing personal delivery by (name) of the document(s) listed above to the person(s) at the address(es) set forth below.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

By causing such envelope to be sent by Federal Express/ Express Mail.

STEVEN R. JACOBSEN, ESQ.
CATHERINE R. DOUAT, ESQ.
LAW OFFICES OF STEVEN JACOBSEN
901 CLAY STREET
OAKLAND, CA 94607

TELEPHONE: (510) 465-1500
FACSIMILE: (510) 465-1501

I am readily familiar with the City of Oakland's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the United States of American/State of California that the above is true and correct.

Executed on OCTOBER 16, 2007, at Oakland, California.


CRYSTAL ROZA